

Notice of Allowability

Application No.

10/670,358

Examiner

Susanna M. Diaz

Applicant(s)

PHILLIPS ET AL.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Examiner's Amendment agreed to on May 12, 2006.
2. ☒ The allowed claim(s) is/are 20-23, 25-39, 44-47, 49-52 and 54-63.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 5/9/06; 5 IDS dated 12/14/04; 12/30/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Susanna M. Diaz
SUSANNA M. DIAZ
PRIMARY EXAMINER
AU 3623

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Osvaldo Farres (Reg. No. 43,606) on May 12, 2006.

The application has been amended as follows:

Listing of Claims:

Claims 1-19 (Cancelled)

20. **(Currently Amended)** A method for using a stored value card having associated card identification data comprising the following steps:

issuing the card;

purchasing the card by a purchaser, in any denomination having cash value, the purchasing step being performed during a card purchase transaction;

selecting an identifier by the purchaser, wherein the identifier is to be subsequently used with the card to verify an authorized user of the card; **[[and]]**

activating the card after the selecting step by transmitting over a network to a card processing center the identifier and the card identification data, and wherein the name of the authorized user is imprinted on the card;

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wherein the identifier, the card identification data, and a card value amount are stored in [[an]] a separate and independent card account accessible by the card processing center,

and wherein the card is available for use after the activating step is performed, and wherein the authorized user adds funds to the separate and independent card account after the activation step is performed.

21. **(Currently Amended)** The method according to claim 20, further comprising establishing the separate and independent card account at the card processing center, the account being uniquely associated with the card.

22. (Previously presented) The method according to claim 20, further comprising adding value to the card value amount.

23. (Previously presented) The method according to claim 20, wherein the card transaction comprises purchasing a good or a service, wherein the step of purchasing a good or service comprises decrementing the card value amount by the cost of the good or service.

24. (Cancelled)

25. (Previously presented) The method according to claim 23, further comprising the step of decrementing the card value amount by an amount corresponding to the purchase price.

26. (Previously presented) The method according to claim 20, wherein the card is inactive before the activating step is performed.

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27. (Previously presented) The method according to claim 20, wherein the card value amount corresponds to an amount of payment tendered in the purchasing step.

28. (Previously presented) The method according to claim 20, wherein the activating step is performed by a gift donor and the card value amount is indicative of a gift amount.

29. (Previously presented) The method according to claim 20, wherein the stored value card is issued in cooperation with a sponsor.

30. **(Currently Amended)** A method for processing a stored value card having associated card identification data, the method comprising the following steps:

assigning to the card an identifier to be used with the card identification data, the purchase of the card being performed during a card purchase transaction; [[and]]

after the identifier is selected, transmitting to a card processing center over a network the card identification data, the identifier, and a card value amount, wherein the card processing center establishes a unique separate and independent card account, and stores the card identification data, the identifier, and a card value amount, and wherein the card identification data and identifier are used to subsequently verify an authorized user of the card, wherein the unique separate and independent account is activated, and wherein the name of the authorized user is imprinted on the card; and

reloading the card upon receiving a request from the authorized user to add funds to the account after the card is issued.

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31. (Previously presented) The method according to claim 30, further comprising the step of distributing the card to a user of the card.

32. (Previously presented) The method according to claim 30, further comprising the step of adding value to the card value amount.

33. **(Currently Amended)** A system for using a stored value card having associated card identification data, the system comprising:

a card issued by an issuer, the card being unactivated;

a terminal that receives card identification data and an identifier provided by [[the]] a card user, transmits over a network the card identification data and the identifier, wherein a card purchaser purchases the card during a card purchase transaction establishing an initial value; and

a card processing center in communication with the terminal over a network to receive the card identification data and the identifier, the card processing center activating the card after the selection of the identifier, the card processing center further establishing a unique separate and independent card account and storing in the card account the card identification data, the identifier, and the card value amount, enabling the subsequent verification of the validity of an authorized card user, and wherein the name of the authorized user is imprinted on the card, and wherein the authorized user may add funds to the separate and independent card account after the card is activated.

34. (Previously presented) The system according to claim 33, wherein the issuer comprises a bank.

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35. (Previously presented) The system according to claim 33, wherein the card is distributed to a user of the card.

36. (Previously presented) The system according to claim 33, wherein an additional amount is added to the card value amount.

37. **(Currently Amended)** A method for activating a stored value card having associated card identification data, the method comprising the following steps:

after selection of an identifier, receiving over a network card identification data and an identifier, wherein a card is purchased and loaded with value during a card purchase transaction;

activating the card upon receipt of the card identification data and the identifier;

establishing a unique separate and independent card account; [[and]]

storing the card identification data, the identifier, and a card value amount to enable verification of an authorized user of the card;

imprinting the name of the authorized user on the card; and

reloading the card upon receiving a request from the authorized user to add funds to the separate and independent card account.

38. (Previously presented) The method according to claim 37, further comprising the step of distributing the card to a user of the card.

39. (Previously presented) The method according to claim 37, further comprising adding an additional amount to the card value amount.

40-43. (Cancelled)

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44. **(Currently Amended)** A method for providing a transaction system, comprising:

issuing a stored value card;

purchasing the card, by a card purchaser, during a card purchase transaction, the card purchase transaction being performed after the issuing step, wherein the card has an initial cash value at a first time which is no earlier than a time at which the purchasing step is started;

selecting personal identification data, the personal identification data comprising an identifier for verifying an identity of an authorized user of the card;

activating the card by transmitting activation data to a processing center, wherein the activation data include the identifier, wherein the activating step is performed after the selecting step, and wherein the identifier is stored in a storage device which is accessible by the processing center; [[and]]

establishing [[an]] a separate and independent account associated with the card;

imprinting the name of the authorized user on the card; and

reloading the card upon receiving a request from the authorized user to add funds to the separate and independent card account.

45. **(Currently Amended)** A method for activating a stored value card comprising:

assigning to a card, no earlier than at the time of a card purchase transaction, personal identification data, the personal identification data comprising an identifier for verifying an identity of an authorized user of the card, wherein the card is purchased by

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a purchaser during the card purchase transaction and loaded with value, wherein the card is not associated with a personal identifier;

transmitting the personal identification data to a processing center, wherein the processing center stores the personal identification data; and

establishing and activating [[an]] a separate and independent account associated with the card;

imprinting the name of the authorized user on the card; and

reloading the card upon receiving a request from the authorized user to add funds to the separate and independent card account.

46. **(Currently Amended)** A stored value card transaction system, comprising:

a transmitting device which transmits personal identification data selected at a selection time, the card being purchased and loaded with value by a purchaser during a card purchase transaction, wherein, earlier than the selection time, the card is not associated with a personal identifier used to enable verification of validity of a use of the card, and wherein the personal identification data is transmitted prior to the card purchase transaction; and

a processing center in communication with the transmitting device and configured to perform the steps of:

receiving the personal identification data from the transmitting device,

activating the card upon receipt of the personal identification data,

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storing the personal identification data in [[an]] a separate and independent card account, [[and]]

imprinting the name of an authorized user on the card,

using the personal identification data to enable verification of validity of a use of the card; and

reloading the card upon receiving a request from the authorized user to add funds to the separate and independent account.

47. **(Currently Amended)** A method for activating a stored value card comprising:

receiving personal identification data selected at a selection time, the card being purchased by a purchaser and loaded with value during a card purchase transaction, wherein, prior to the selection time, the card is not associated with the personal identification data for verifying an identity of an authorized user of the card, and wherein the personal identification data are received at a receipt time which is no earlier than a starting time of the card purchase transaction;

imprinting the name of an authorized user on the card;

activating the card at a time no earlier than the receipt time; [[and]]

storing the personal identification data in [[an]] separate and independent card account to thereby enable verification of an authorized user of the card;

reloading the card upon receiving a request from the authorized user to add funds to the separate and independent account.

48. **(Cancelled)**

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49. **(Currently Amended)** A method for using a stored value card comprising:

- issuing a stored value card;
- performing a card purchase transaction, the card purchase transaction comprising:
 - selecting a set of personal identification data, the personal identification data being for verifying validity of a use of the card subsequent to the card purchase transaction; [[and]]
 - purchasing the card and loading of value by a card purchaser, wherein, prior to the card purchase transaction, the card is not associated with a personal identifier for verifying validity of a use of the card for a card transaction; [[and]]
 - imprinting the name of an authorized user on the card;
 - creating and activating [[an]] a separate and independent card account; and
 - reloading the card upon receiving a request from the authorized user to add funds to the separate and independent account after the card is purchased.

50. **(Currently Amended)** A method for activating a stored value card comprising:

- assigning to the card, no earlier than a starting time of a card purchase transaction, (1)_personal identification data, the personal identification data being for verifying an identity of an authorized user of the card, wherein a purchaser purchases the card during the card purchase transaction and adds value, wherein, earlier than the starting time, the card is not associated with a personal identifier for verifying validity of

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a use of the card, [[and]] wherein the personal identifier is selected during the card purchase transaction, wherein the name of the authorized user is imprinted on the card, and wherein the authorized user may add funds to the separate and independent account [[and]] (2) [[an]] a separate and independent card account, wherein the separate and independent card account is activated.

51. **(Currently Amended)** A system for using a stored value card comprising a transmitting device that transmits personal identification data selected at a selection time, the card being purchased and loaded with value during a card purchase transaction, wherein the card is not associated with a personal identifier earlier than the selection time, wherein the personal identification data are transmitted to [[an]] a separate and independent card account for storage no earlier than a starting time of the card purchase transaction, [[and]] wherein the personal identifier is for verifying validity of a use of the card, wherein the separate and independent card account is activated, wherein the name of an authorized use is imprinted on the card, and wherein the authorized user may add funds to the separate and independent account after the card purchase transaction.

52. **(Currently Amended)** A method for activating a stored value card comprising receiving personal identification data selected at a selection time, wherein, earlier than the selection time, the card is not associated with a personal identifier for verifying validity of a use of the card, the card being purchased and loaded with value by a purchaser during a card purchase transaction, wherein the personal identification data are received at a receipt time which is no earlier than a starting time of the card

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purchase transaction, [[and]] wherein the personal identification data are for verifying an identity of an authorized user of the card, and are stored in [[an]] a separate and independent card account, wherein the separate and independent card account is activated, and wherein the name of the authorized user is imprinted on the card, and wherein the card is reloaded upon request by the authorized user to add funds to the separate and independent account after the card purchase transaction.

53. (Cancelled)

54. **(Currently Amended)** A method for activating a stored value card having associated card identification data, the method comprising:

assigning to the card an identifier to be used with the card identification data, the purchase of and loading of value onto the card being performed during a card purchase transaction; and

after the identifier is selected, transmitting to a card processing center over a network the card identification data and the identifier, wherein the card processing center activates the card and stores the card identification data in [[an]] a separate and independent card account; [[and]]

storing the identifier and the card value amount to subsequently verify an authorized user of the card;

imprinting the name of the authorized user on the card; and

reloading the card upon request of the authorized user to add funds to the separate and independent account after the stored value card is activated.

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55. (Previously presented) The method according to claim 54, further comprising the step of distributing the card to a user of the card.

56. (Previously presented) The method according to claim 54, further comprising adding value to the card value amount.

57. **(Currently Amended)** A computer implemented method for issuing a stored value card affiliated with a predetermined transaction processing network and an issuer, comprising:

presenting a purchaser with an opportunity to buy a stored value card;

receiving funds provided by the purchaser for a purchase amount for the stored value card;

establishing ~~[[an]]~~ a separate and independent stored value account for a recipient designated by the purchaser, wherein the stored value account includes the recipient's name, the stored value card account number; and the purchase amount;

issuing the stored value card, wherein the stored value card is usable for purchases wherever the transaction processing network is accepted for purchases, and wherein the stored value card has the recipient's name imprinted thereon; ~~[[and]]~~

receiving notification that the stored value card has been received; and

reloading the card upon receiving a request from the recipient to add funds to the separate and independent account after the stored value card is issued.

58. (Previously presented) The method of claim 57, wherein the recipient is the purchaser.

59. (Previously presented) The method of claim 57, wherein the recipient is not the purchaser.

60. (Previously presented) The method of claim 57, wherein the transaction processing network is a credit network.

61. (Previously presented) The method of claim 57, wherein the transaction processing network is a debit network.

62. **(Currently Amended)** A method of using a stored value card having associated card identification data, comprising:

issuing the stored value card without any associated personal identification data;
performing by a card purchaser a card purchase and load transaction comprising the steps of:

selecting by the card purchaser a set of personal identification data, the set of personal identification data being for verifying the validity of transactions subsequent to the card purchase transaction, and

purchasing the stored value card by the card purchaser; [[and]]
creating [[an]] and activating a separate and independent account associated with the stored value card;

imprinting the name of an authorized user on the card; and
reloading the card upon receiving a request from the authorized user to add funds to the separate and independent account after the separate and independent account is created.

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63. **(Currently Amended)** A system for using a stored value card having associated card identification data, comprising:

[[a]] an activated stored value card issued by an issuer, the stored value card being associated with [[an]] separate and independent stored value card account, wherein the card has the name of an authorized user imprinted thereon, and wherein the authorized user may add funds to the stored value card after the stored value card is issued; and

a receiving device for receiving a set of personal identification data during a card purchase transaction in which a card purchaser purchases and loads the stored value card, the set of personal identification data being selected by the card purchaser during the card purchase transaction, the set of personal identification data being for verifying the validity of transactions subsequent to the card purchase transaction.

Reasons for Allowance

2. Claims 20-23, 25-39, 44-47, 49-52, and 54-63 are allowed.

3. The following is an examiner's statement of reasons for allowance:

The prior art of record most closely resembling the claimed invention are as follows:

Your Choice MasterCard prepaid card, as disclosed in the articles "Boatmen's Floats Stored Value Into the Employee Incentive Waters," "Boatmen's Prepaid Cards for Worker-Incentive Firm" and "Maritz Gets MasterCard's Stamp of Approval";

CardEx's IncentiveCards, as disclosed in the CardEx web site archived by web.archive.org on February 7, 1998

[http://web.archive.org/web/*/http://www.cardex.com];

Dorf (U.S. Patent No. 6,000,608);

Albrecht (U.S. Patent No. 5,984,180).

The Your Choice MasterCard prepaid card is a co-branded, prepaid card that functions as an electronic gift certificate (with an initial monetary value placed on the card); however, the Your Choice MasterCard prepaid card does not have the authorized user's name imprinted on the card nor does it actively allow the authorized user to reload funds onto the card subsequent to the initial funding of the card.

CardEx Incentive Cards provide employers with network-associated incentive cards that can be gifted to employees as part of an incentive program. However, CardEx does not have the authorized user's name imprinted on the card nor does it actively allow the authorized user to reload funds onto the card subsequent to the initial funding of the card.

Dorf discloses that the recipient of a gift card can add funds to the gift card, yet Dorf does not provide specific details regarding an incentive program, as recited in the claimed invention.

Albrecht discloses a gift credit card that has an authorized user's name imprinted thereon, functions as a credit card, and is tied to a primary credit card account; however, the gift card functions more as a credit card than as a stored value card and is

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not initially funded by a separate and independent account nor is it clear that the authorized user of the gift credit card is provided with the opportunity to reload the gift credit card.

Claims 20-23, 25-39, 44-47, 49-52, and 54-63 recite a combination of the following limitations:

(1) an initial purchase value is set on the stored value card (claims 20-23, 25-39, 44-47, 49-52, and 54-63)

(2) an authorized user is defined for the stored value card (claims 20-23, 25-39, 44-47, 49-52, and 54-63)

(3) activating card after selection of a card identifier (claims 20-23, 25-39, 44-47, 49-52, 54-56, 62, and 63) or notification that the stored value card has been received (claims 57-61)

(4) imprinting the name of the authorized user on the stored value card (claims 20-23, 25-39, 44-47, 49-52, and 54-63)

(5) the stored value card is assigned to a separate and independent card account (claims 20-23, 25-39, 44-47, 49-52, and 54-63)

(6) the authorized user is actively provided with the ability to add funds to the stored value card subsequent to placing the initial purchase value on the stored value card (claims 20-23, 25-39, 44-47, 49-52, and 54-63)

While the Examiner submits that each of these features is individually taught in the prior art (including knowledge available to one of ordinary skill in the art at the time

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of Applicant's invention as well as in the aforementioned references), the Examiner asserts that the prior art teachings fail to render the combination of all of these six features in one system/method as obvious. Therefore, one of ordinary skill in the art at the time of Applicant's invention would not have found it obvious and been motivated to create a system/method utilizing all of these seven features (which are recited in all of claims 20-23, 25-39, 44-47, 49-52, and 54-63), thereby rendering claims 20-23, 25-39, 44-47, 49-52, and 54-63 as allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Terminal Disclaimer

4. The terminal disclaimer filed on May 9, 2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of Patent Nos. 6,615,189 and 6,892,187 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (571) 272-6733. The examiner can normally be reached on Monday-Friday, 10 am - 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Susanna M. Diaz
Primary Examiner
Art Unit 3623

May 12, 2006